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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/665,305      | 09/19/2000  | Michiya Handa        | ICOR-002            | 5531             |

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PATENT DEPARTMENT  
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NEW YORK, NY 10036

EXAMINER

AKERS, GEOFFREY R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3624

DATE MAILED: 10/11/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/665305

Applicant(s)

Hards

Examiner

Hards, G

Group Art Unit

3624

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 9/19/00
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-33 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-33 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2,3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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### DETAILED ACTION

1. Claims 1-33 have been examined.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-33 are rejected under 35 USC 103(a) as unpatentable over Togher(US Pat. No: 6,014,627) in view of May(US Pat. No: 6,317,727) and further in view of Silverman(US Pat. No: 5,136,501).
4. As per claims 1-33 Togher teaches a method of tracking credit limits for a plurality of parties and trades(col 2 lines 15-22).Togher teaches an electronic trading network(Fig 5) which may be implemented globally.Togher teaches trading in foreign currencies(col 6 line 41-col 7 line 25). May teaches credit capability(reserves)(col 12 lines 1-16) as well as credit monitoring and risk quotient analysis(col 25 line 5-col 26 line 17) and checking of parties(col 13 lines 37-65).May teaches the residual credit available to each party(bucket)(Fig 28/582/584)(col 1 line 65-col 2 line 5) as well as updating the position information of the party(Fig 28/590) as well as identifying for each party a set of counterparties each party may trade with(Abstract)(Fig 27B)(col 5 line 41-col 6 line 11).May teaches that derivative instruments are traded(col 18 lines 3-27) including options

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utilizing credit tracking of parties/counterparties. It would have been obvious to one skilled in the art at the time of the invention to combine Togher in view of May to teach part of this. The motivation to combine is to teach a method for credit screening of trading parties prior to trading on an electronic trading system where the credit risks of the trader take into account the different types of derivative instruments as enunciated by May(col 5 lines 31-37). Silverman teaches identifying a counterparty that a party may trade with where these parties have defined credit limits(col 3 line 18-col 4 line 25). Silverman teaches residual credit remaining on different trades and parties(Fig 20). Silverman teaches overriding a credit limit(col 4 lines 47-51). Silverman teaches the adjustment of a credit limit following respective trades(Abstract)(col 3 line 60-col 4 line 5). It would have been obvious to one skilled in the art at the time of the invention to combine Togher in view of May to teach part of this. The motivation to combine is to teach a method for credit screening of trading parties prior to trading on an electronic trading system where the credit risks of the trader take into account the different types of derivative instruments as enunciated by May(col 5 lines 31-37). Further it would have been obvious to one skilled in the art at the time of the invention to combine Togher in view of May and further in view of Silverman to teach all the above. The motivation to combine is to teach a system incorporating credit limits for counterparties and parties for the trading of diverse instruments which are dynamically adjusted over a trading session as enunciated by Silverman(col 2 lines 17-35).

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*Claim Rejections - 35 USC § 112*

5. Claims 1-33 are further rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular the key underlying assumptions in the derivation of the equations is not delineated which would incorporate the actual time-dependent governing differential equations for the dynamical process as well as a generalized closed form analytical solution or else as a convergent series.

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6. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA

October 4, 2002

